



Department of Environmental Quality

To protect, conserve, and enhance the Quality of Wyoming's environment for the benefit of current and future generations



Matthew H. Mead, Governor

Todd Parfitt, Director

June 9, 2014

CERTIFIED 7012 3460 0000 7423 0627

Ms. Kelly Gelske
HPT TA Properties Trust
24601 Center Ridge Road
Westlake, OH 44145

RE: Notice of Violation Docket Number 5431-14

Dear Ms. Gelske:

Enclosed you will find a Notice of Violation, Docket Number 5431-14, issued under the provisions of W.S. 35-11-701(c).

On June 2, 2014, Department of Environmental Quality (DEQ) personnel performed an underground storage tank compliance inspection at the Rawlins Travel Center, located at 1400 Higley Boulevard in Rawlins, Wyoming. The inspection revealed that two tanks did not have overfill devices. Failure to have a properly operating overfill device on a UST is a violation of Wyoming Water Quality Rules and Regulation, Chapter 17, Section 6(c)(i).

If you would like to resolve this matter through a stipulated settlement without the need to go to District Court, the DEQ is willing to negotiate such a settlement. Please contact Oma Gilbreth at (307) 777-7097 within 30 days of receipt of this letter to arrange a date and time to negotiate a penalty amount.

Todd Parfitt
Director
Department of Environmental Quality

Luke Esch
Administrator
Solid and Hazardous Waste Division

TP/LE/KLH

Enclosure: Notice of Violation



BEFORE THE
DEPARTMENT OF ENVIRONMENTAL QUALITY
STATE OF WYOMING

IN THE MATTER OF THE NOTICE OF)
VIOLATION ISSUED TO:)

HPT TA Properties Trust)
24601 Center Ridge Road)
Westlake, OH 44145)
)

DOCKET NUMBER 5431-14

NOTICE OF VIOLATION

NOTICE IS HEREBY GIVEN THAT:


1. HPT TA Properties Trust, owns and operates Rawlins Travel Center, underground storage tank (UST) facility number 0-003352, which is located at 1400 Higley Boulevard, Rawlins, Wyoming. This facility has 13 USTs used to store gasoline and diesel. The 2 gasoline USTs have co-axial Stage I vapor recovery drop tubes.
2. On June 2, 2014, personnel from the Department of Environmental Quality (DEQ) conducted a UST compliance inspection at Rawlins Travel Center. The inspection revealed that the two gasoline USTs did not have overfill prevention devices.
3. The DEQ has determined that the following violation of Wyoming Water Quality Rules and Regulations (WWQRR), Chapter 17 has occurred:

Count 1: Failure to have an Overfill Prevention Device on a UST: [WWQRR, Chapter 17, Section 6(c)(i)]. As the owner and operator of the USTs located at Rawlins Travel Center, HPT TA Properties Trust violated WWQRR, Chapter 17, Section 6(c)(i), by operating two USTs without proper overfill prevention devices.
4. Any person who violates any provision of the Environmental Quality Act, or any rule, standard, permit, license, or variance adopted thereunder, is liable for a penalty of ten thousand dollars (\$10,000.00) for each day of violation, which penalty may be recovered in a civil action brought by the Attorney General in the name of the people of Wyoming.
5. This Notice is being sent to you pursuant to W.S. 35-11-701(c)(i), which requires that in any case of the failure to correct or remedy an alleged violation, the director of the Department of Environmental Quality shall cause a written notice to be issued and served upon the person alleged to be responsible.


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NOTHING IN THIS NOTICE OF VIOLATION shall be interpreted to in any way limit or contravene any other remedy available under the Environmental Quality Act, nor shall this Notice of Violation be interpreted as being a condition precedent to any other enforcement action.

SIGNED this 16th day of JUNE, 2014.



Todd Parfitt
Director
Department of Environmental Quality



Luke Esch
Administrator
Solid and Hazardous Waste Division

PLEASE DIRECT ALL INQUIRES TO: Oma Gilbreth, Storage Tank Program Compliance Supervisor at 122 West 25th Street, Fourth Floor, West Wing, Cheyenne, WY 82002, (307) 777-7097 or (307) 777-5973 FAX for technical matters.

TP/LE/KLH